

generate an acquisition integration plan with the user selected, pre-defined integration areas and integration events for a planned acquisition.

Remarks

The Office Action mailed April 11, 2003 has been carefully reviewed and the foregoing amendment has been made in consequence thereof. Submitted herewith is a Submission of Marked Up Claims.

Claims 1-17, and 19-79 are pending in this application. Claims 1-79 have been rejected. Claim 18 has been cancelled.

The rejection of Claims 1, 3-26, 28, 29, 31-50, 52-55, 57-63, 65-71, and 73-79 under 35 U.S.C. § 102(b) as being anticipated by Tim Pyron, *Using Microsoft Project 4 for Windows*, 1994 (Pyron) is respectfully traversed.

Applicants respectfully submit that Pyron does not describe nor suggest the claimed invention. As discussed below, at least one of the differences between Pyron and the present invention is that Pyron neither describes nor suggests displaying a detailed explanation for each pre-defined integration event including advice for performing the integration event and at least one sample presentation relating to the integration event wherein the advice and the at least one sample presentation are based on prior acquisition processes.

Pyron describes using a computer application known as Microsoft Project 4. Microsoft Project 4 includes a project planning function having a top-down approach or a bottom-up approach. For example, if a user uses the top-down approach, the user starts by identifying the major phases of a project and then adds the components of each phase in detail until an outline of all the tasks to be performed for the project has been created. All tasks having subordinate detail tasks under them are summary tasks. The computer application also enables a user to create a Gantt Chart displaying the duration of each task and a temporal relationship between tasks (see pages 96-97).

Claim 1 recites a method performed by a computer for generating an acquisition integration project plan that includes “displaying a plurality of pre-defined integration events based upon at least one user selected integration area, each pre-defined integration event being displayed in association with a phase in an acquisition process...displaying a detailed explanation for each pre-defined integration event including advice for performing the integration event and at least one sample presentation relating to the integration event, the advice and the at least one sample presentation are based on prior acquisition processes...receiving at least one user selection of a pre-defined integration event for each user selected integration area...displaying the user selected, pre-defined integration events for each user selected integration area...displaying at least one of a name of a person responsible, a due date, a completion percentage, and a commentary for each user selected, pre-defined integration event...and storing the user selected, pre-defined integration events and at least one of the name of a person responsible, the due date, the completion percentage, and the commentary for each user selected, pre-defined integration event into corresponding integration areas, as an acquisition integration project plan.”

Pyron neither describes nor suggests a method as recited in Claim 1. More specifically, Pyron neither describes nor suggests a method performed by a computer for generating an acquisition integration project plan that includes displaying a detailed explanation for each pre-defined integration event including advice for performing the integration event and at least one sample presentation relating to the integration event wherein the advice and the at least one sample presentation are based on prior acquisition processes.

Rather, Pyron describes a computer application known as Microsoft Project 4 that includes a project planning function wherein a user identifies the major phases of a project and adds the components of each phase in detail until an outline of all the tasks to be performed for the project has been created. Pyron does not describe nor suggest displaying a detailed explanation for each integration event including advice for performing the integration event and at least one sample presentation relating to the integration event.

Applicants respectfully traverse the assertion included in the Office Action at page 4 that Pyron describes “displaying an explanation for each integration event” by disclosing “if the outline is collapsed when you print a task or crosstab report, the subordinate tasks that are hidden will not be displayed in the report...You must expand the outline when you print the report if you want all tasks to be displayed” (Pyron, page 591). The mere mentioning in Pyron of expanding an outline to display all tasks does not teach displaying an explanation for each integration event including advice for performing the integration event and at least one sample presentation relating to the integration event.

Furthermore, Applicants traverse the assertion included in the Office Action at page 6 that Pyron describes “displaying sample presentations” by disclosing “a task sheet view of the SAMPLE project” (Pyron, page 99). The task sheet view of the SAMPLE project does not describe nor teach displaying at least one sample presentation relating to the integration event. Accordingly, Applicants respectfully submit that Claim 1 is patentable over Pyron.

For at least the reasons set forth above, Applicants respectfully submit that Claim 1 is patentable over Pyron.

Claims 3-8 depend, directly or indirectly, from independent Claim 1. When the recitations of Claims 3-8 are considered in combination with the recitations of Claim 1, Applicants submit that dependent Claims 3-8 likewise are patentable over Pyron.

Moreover, dependent Claim 7 recites “wherein the step of displaying a detailed explanation for each pre-defined integration event further comprises enabling a user to update the advice for performing an integration event and the at least one sample presentation relating to the integration event during an acquisition process.” Pyron neither describes nor suggests a method that includes enabling a user to update the advice for performing an integration event and the at least one sample presentation relating to the integration event during an acquisition process. Accordingly, Applicants further submit that Claim 7 is patentable over Pyron.

Claim 9 recites a computer programmed to “display a plurality of pre-defined integration events based upon at least one user selected integration area, each pre-defined integration event

being associated with a phase in an acquisition process...display a detailed explanation for each pre-defined integration event including advice for performing the integration event and at least one sample presentation relating to the integration event, the advice and the at least one sample presentation are based on prior acquisition processes...display at least one user selected, pre-defined integration event for each user selected integration area...display at least one of a name of a person responsible, a due date, a completion percentage, and a commentary for each user selected, pre-defined integration event...and store the user selected, pre-defined integration events and corresponding integration areas as an acquisition integration project plan.”

Pyron neither describes nor suggests a computer as recited in Claim 9. More specifically, Pyron neither describes nor suggests a computer programmed to display a detailed explanation for each pre-defined integration event including advice for performing the integration event and at least one sample presentation relating to the integration event wherein the advice and the at least one sample presentation are based on prior acquisition processes.

Rather, Pyron describes a computer application known as Microsoft Project 4 that includes a project planning function wherein a user identifies the major phases of a project and adds the components of each phase in detail until an outline of all the tasks to be performed for the project has been created. Pyron does not describe nor suggest displaying a detailed explanation for each pre-defined integration event including advice for performing the integration event and at least one sample presentation relating to the integration event.

Applicants respectfully traverse the assertions included in the Office Action at pages 4 and 6 that Pyron describes “displaying an explanation for each integration event” by disclosing “if the outline is collapsed when you print a task or crosstab report, the subordinate task that are hidden will not be displayed in the report...You must expand the outline when you print the report if you want all tasks to be displayed” (Pyron, page 591); and describes “displaying sample presentations” by disclosing “a task sheet view of the SAMPLE project” (Pyron, page 99). The mere mentioning in Pyron of expanding an outline to display all tasks does not teach displaying an explanation for each integration event including advice for performing the integration event. Additionally, the task sheet view of the SAMPLE project does not describe nor teach displaying

at least one sample presentation relating to the integration event. Accordingly, Applicants respectfully submit that Claim 9 is patentable over Pyron.

For at least the reasons set forth above, Applicants respectfully submit that Claim 9 is patentable over Pyron.

Claims 10-15 depend, directly or indirectly, from independent Claim 9. When the recitations of Claims 10-15 are considered in combination with the recitations of Claim 9, Applicants submit that dependent Claims 10-15 likewise are patentable over Pyron.

Claim 16 recites a database for acquisition integration that includes “data corresponding to at least one integration area...data corresponding to integration events for each integration area...and data corresponding to a detailed explanation of each integration event including advice for performing the integration event and at least one sample presentation relating to the integration event wherein the advice and the at least one sample presentation are based on prior acquisition processes.”

Pyron neither describes nor suggests a database as recited in Claim 16. More specifically, Pyron neither describes nor suggests a database for acquisition integration that includes data corresponding to a detailed explanation of each integration event including advice for performing the integration event and at least one sample presentation relating to the integration event wherein the advice and the at least one sample presentation are based on prior acquisition processes.

Rather, Pyron describes a computer application known as Microsoft Project 4 that includes a project planning function wherein a user identifies the major phases of a project and adds the components of each phase in detail until an outline of all the tasks to be performed for the project has been created. Pyron does not describe nor suggest a database that includes data corresponding to a detailed explanation of each integration event including advice for performing the integration event and at least one sample presentation relating to the integration event.

Applicants respectfully traverse the assertions included in the Office Action at pages 4 and 6 that Pyron describes “displaying an explanation for each integration event” and describes “displaying sample presentations”. The mere mentioning in Pyron of expanding an outline to display all tasks does not teach displaying an explanation for each integration event including advice for performing the integration event. Additionally, the task sheet view of the SAMPLE project does not describe nor teach displaying at least one sample presentation relating to the integration event. Accordingly, Applicants respectfully submit that Claim 16 is patentable over Pyron.

For at least the reasons set forth above, Applicants respectfully submits that Claim 16 is patentable over Pyron.

Claim 18 has been cancelled. Claims 17, and 19-23 depend, directly or indirectly, from independent Claim 16. When the recitations of Claims 17, and 19-23 are considered in combination with the recitations of Claim 16, Applicants submit that dependent Claims 17, and 19-23 likewise are patentable over Pyron.

Claim 24 recites a system for acquisition integration that includes “a database comprising data corresponding to integration events for at least one integration area, and data corresponding to a detailed explanation of each integration event including advice for performing the integration event and at least one sample presentation relating to the integration event wherein the advice and the at least one sample presentation are based on prior acquisition processes...and a server configured to prompt a user to select an integration area and to provide information regarding a status of integration events within the integration area.”

Pyron neither describes nor suggests a system as recited in Claim 24. More specifically, Pyron neither describes nor suggests a system for acquisition integration that includes a database having data corresponding to a detailed explanation of each integration event including advice for performing the integration event and at least one sample presentation relating to the integration event wherein the advice and the at least one sample presentation are based on prior acquisition processes.

Rather, Pyron describes a computer application known as Microsoft Project 4 that includes a project planning function wherein a user identifies the major phases of a project and adds the components of each phase in detail until an outline of all the tasks to be performed for the project has been created. Pyron does not describe nor suggest a system having data corresponding to a detailed explanation of each integration event including advice for performing the integration event and at least one sample presentation relating to the integration event. Accordingly, Applicants respectfully submit that Claim 24 is patentable over Pyron.

For at least the reasons set forth above, Applicants submit that Claim 24 is patentable over Pyron.

Claims 25-26, 28-29, and 31 depend, directly or indirectly, from independent Claim 24. When the recitations of Claims 25-26, 28-29, and 31 are considered in combination with the recitations of Claim 24, Applicants submit that dependent Claims 25-26, 28-29, and 31 likewise are patentable over Pyron.

Claim 32 recites a method for acquisition integration planning that includes “selecting, from an electronic interface, at least one of a plurality of integration areas...identifying, from the electronic interface, a responsible person responsible for each integration area...identifying, from the electronic interface, at least one of a person responsible and a due date for each integration event within an integration area...requesting, from the electronic interface, a percentage completion for each integration event...and requesting, from the electronic interface, a detailed explanation for an integration event including advice for performing the integration event and at least one sample presentation relating to the integration event wherein the advice and the at least one sample presentation are based on prior acquisition processes.”

Pyron neither describes nor suggests a method as recited in Claim 32. More specifically, Pyron neither describes nor suggests a method for acquisition integration planning that includes requesting, from the electronic interface, a detailed explanation for an integration event including advice for performing the integration event and at least one sample presentation relating to the integration event wherein the advice and the at least one sample presentation are based on prior acquisition processes.

Rather, Pyron describes a computer application known as Microsoft Project 4 that includes a project planning function wherein a user identifies the major phases of a project and adds the components of each phase in detail until an outline of all the tasks to be performed for the project has been created. Pyron does not describe nor suggest a method for acquisition integration planning that includes requesting a detailed explanation for an integration event including advice for performing the integration event and at least one sample presentation relating to the integration event. Accordingly, Applicants respectfully submit that Claim 32 is patentable over Pyron.

For at least the reasons set forth above, Applicants submit that Claim 32 is patentable over Pyron.

Claims 33-37 depend, directly or indirectly, from independent Claim 32. When the recitations of Claims 33-37 are considered in combination with the recitations of Claim 32, Applicants submit that dependent Claims 33-37 likewise are patentable over Pyron.

Claim 38 recites an apparatus that includes “means for prompting a user to select at least one integration area...means for displaying a plurality of integration events for the selected integration areas...means for displaying a detailed explanation for each integration event including advice for performing the integration event and at least one sample presentation relating to the integration event wherein the advice and the at least one sample presentation are based on prior acquisition processes...and means for generating an integration acquisition project plan using selected integration events.”

Pyron neither describes nor suggests an apparatus as recited in Claim 38. More specifically, Pyron neither describes nor suggests an apparatus that includes a means for displaying a detailed explanation for each integration event including advice for performing the integration event and at least one sample presentation relating to the integration event wherein the advice and the at least one sample presentation are based on prior acquisition processes.

Rather, Pyron describes a computer application known as Microsoft Project 4 that includes a project planning function wherein a user identifies the major phases of a project and

adds the components of each phase in detail until an outline of all the tasks to be performed for the project has been created. Pyron does not describe nor suggest an apparatus that includes a means for displaying a detailed explanation for each integration event including advice for performing the integration event and at least one sample presentation relating to the integration event. Accordingly, Applicants respectfully submit that Claim 38 is patentable over Pyron.

For at least the reasons set forth above, Applicants submit that Claim 38 is patentable over Pyron.

Claims 39-43 depend, directly or indirectly, from independent Claim 38. When the recitations of Claims 39-43 are considered in combination with the recitations of Claim 38, Applicants submit that dependent Claims 39-43 likewise are patentable over Pyron.

Claim 44 recites a computer program that includes a code segment that “manages integration areas for acquisition integration...organizes integration events for each integration area...displays a detailed explanation for each integration event including advice for performing the integration event and at least one sample presentation relating to the integration event wherein the advice and the at least one sample presentation are based on prior acquisition processes...and generates an acquisition integration plan including a set of integration events and deliverable checklists based on user selected integration areas, to guide the user through integration process.”

Pyron neither describes nor suggests a computer program as recited in Claim 44. More specifically, Pyron neither describes nor suggests a computer program that includes a code segment that displays a detailed explanation for each integration event including advice for performing the integration event and at least one sample presentation relating to the integration event wherein the advice and the at least one sample presentation are based on prior acquisition processes.

Rather, Pyron describes a computer application known as Microsoft Project 4 that includes a project planning function wherein a user identifies the major phases of a project and adds the components of each phase in detail until an outline of all the tasks to be performed for

the project has been created. Pyron does not describe nor suggest a computer program that includes a code segment that displays a detailed explanation for each integration event including advice for performing the integration event and at least one sample presentation relating to the integration event. Accordingly, Applicants respectfully submit that Claim 44 is patentable over Pyron.

For at least the reasons set forth above, Applicants submit that Claim 44 is patentable over Pyron.

Claims 45-50, 52-55, and 57 depend, directly or indirectly, from independent Claim 44. When the recitations of Claims 45-50, 52-55, and 57 are considered in combination with the recitations of Claim 44, Applicants submit that dependent Claims 45-50, 52-55, and 57 likewise are patentable over Pyron.

Claim 58 recites a method for operating a computer that includes “prompting a user to select an integration area from an acquisition integration main user interface...displaying a set of selectable integration events for the selected integration area...displaying a detailed explanation for each integration event including advice for performing the integration event and at least one sample presentation relating to the integration event wherein the advice and the at least one sample presentation are based on prior acquisition processes...and generating an acquisition integration project plan incorporating selected integration events.”

Pyron neither describes nor suggests a method for operating a computer as recited in Claim 58. More specifically, Pyron neither describes nor suggests a method for operating a computer that includes displaying a detailed explanation for each integration event including advice for performing the integration event and at least one sample presentation relating to the integration event wherein the advice and the at least one sample presentation are based on prior acquisition processes.

Rather, Pyron describes a computer application known as Microsoft Project 4 that includes a project planning function wherein a user identifies the major phases of a project and adds the components of each phase in detail until an outline of all the tasks to be performed for

the project has been created. Pyron does not describe nor suggest a method that includes displaying a detailed explanation for each integration event including advice for performing the integration event and at least one sample presentation relating to the integration event. Accordingly, Applicants respectfully submit that Claim 58 is patentable over Pyron.

For at least the reasons set forth above, Applicants submit that Claim 58 is patentable over Pyron.

Claims 59-63 and 65 depend, directly or indirectly, from independent Claim 58. When the recitations of Claims 59-63 and 65 are considered in combination with the recitations of Claim 58, Applicants submit that dependent Claims 59-63 and 65 likewise are patentable over Pyron.

Claim 66 recites a computer programmed to “prompt a user to select an integration area from a computer generated screen configured as an acquisition integration main user interface...display a set of selectable integration events for the selected integration area...display a detailed explanation for each integration event including advice for performing the integration event and at least one sample presentation relating to the integration event wherein the advice and the at least one sample presentation are based on prior acquisition processes...and generate an acquisition integration project plan incorporating user selected integration events.”

Pyron neither describes nor suggests a computer as recited in Claim 66. More specifically, Pyron neither describes nor suggests a computer programmed to display a detailed explanation for each integration event including advice for performing the integration event and at least one sample presentation relating to the integration event wherein the advice and the at least one sample presentation are based on prior acquisition processes.

Rather, Pyron describes a computer application known as Microsoft Project 4 that includes a project planning function wherein a user identifies the major phases of a project and adds the components of each phase in detail until an outline of all the tasks to be performed for the project has been created. Pyron does not describe nor suggest a computer programmed to display a detailed explanation for each integration event including advice for performing the

integration event and at least one sample presentation relating to the integration event.

Accordingly, Applicants respectfully submit that Claim 66 is patentable over Pyron.

For at least the reasons set forth above, Applicants submit that Claim 66 is patentable over Pyron.

Claims 67-71 and 73 depend, directly or indirectly, from independent Claim 66. When the recitations of Claims 67-71 and 73 are considered in combination with the recitations of Claim 66, Applicants submit that dependent Claims 67-71 and 73 likewise are patentable over Pyron.

Claim 74 recites a computer-readable medium executable by a computer for controlling the computer to “receive user selections of pre-defined integration areas...receive user selections of pre-defined integration events for the selected integration areas...display a detailed explanation for each selected pre-defined integration event including advice for performing the integration event and at least one sample presentation relating to the integration event wherein the advice and the at least one sample presentation are based on prior acquisition processes...and generate an acquisition integration plan with the user selected, pre-defined integration areas and integration events for a planned acquisition.”

Pyron neither describes nor suggests a computer-readable medium as recited in Claim 74. More specifically, Pyron neither describes nor suggests a computer-readable medium executable by a computer for controlling the computer to display a detailed explanation for each selected pre-defined integration event including advice for performing the integration event and at least one sample presentation relating to the integration event wherein the advice and the at least one sample presentation are based on prior acquisition processes.

Rather, Pyron describes a computer application known as Microsoft Project 4 that includes a project planning function wherein a user identifies the major phases of a project and adds the components of each phase in detail until an outline of all the tasks to be performed for the project has been created. Pyron does not describe nor suggest a computer-readable medium that displays a detailed explanation for each selected pre-defined integration event including

advice for performing the integration event and at least one sample presentation relating to the integration event. Accordingly, Applicants respectfully submit that Claim 74 is patentable over Pyron.

For at least the reasons set forth above, Applicants submit that Claim 74 is patentable over Pyron.

Claims 75-79 depend, directly or indirectly, from independent Claim 74. When the recitations of Claims 75-79 are considered in combination with the recitations of Claim 74, Applicants submit that dependent Claims 75-79 likewise are patentable over Pyron.

For at least the reasons set forth above, Applicants respectfully request that the rejection of Claims 1, 3-26, 28, 29, 31-50, 52-55, 57-63, 65-71, and 73-79 under 35 U.S.C. § 102(b) be withdrawn.

The rejection of Claims 2, 27, 30, 64, and 72 under 35 U.S.C. § 103(a) as being unpatentable over Tim Pyron, *Using Microsoft Project 4 for Windows*, 1994 (Pyron) in view of Ernst & Young, *Mergers and Acquisitions Second Edition*, 1994 (Ernst) is respectfully traversed.

Applicants respectfully submit that neither Pyron nor Ernst, considered alone or in combination, describe or suggest the claimed invention. As discussed below, neither Pyron nor Ernst, considered alone or in combination, describe or suggest displaying a detailed explanation for each pre-defined integration event including advice for performing the integration event and at least one sample presentation relating to the integration event wherein the advice and the at least one sample presentation are based on prior acquisition processes.

Pyron is described above. Ernst is a text book that generally discusses mergers and acquisitions including the topics of acquisition process and strategy, evaluating an acquisition candidate, due diligence, acquiring a public company, accounting principles, federal income tax considerations, and post merger integration. Notably, Ernst does not describe nor teach generating an acquisition integration project plan that includes displaying an explanation for each pre-defined integration event including advice for performing the integration event and at least

one sample presentation relating to the integration event wherein the advice and the at least one sample presentation are based on prior acquisition processes.

Claim 2 depends from independent Claim 1. Claim 1 recites a method performed by a computer for generating an acquisition integration project plan that includes “displaying a detailed explanation for each pre-defined integration event including advice for performing the integration event and at least one sample presentation relating to the integration event, the advice and the at least one sample presentation are based on prior acquisition processes.”

Neither Pyron nor Ernst, considered alone or in combination, describe or suggest a method as recited in Claim 1. More specifically, neither Pyron nor Ernst, considered alone or in combination, describe or suggest a method performed by a computer for generating an acquisition integration project plan that includes displaying a detailed explanation for each pre-defined integration event including advice for performing the integration event and at least one sample presentation relating to the integration event wherein the advice and the at least one sample presentation are based on prior acquisition processes.

Rather, Pyron describes a computer application known as Microsoft Project 4 that includes a project planning function wherein a user identifies the major phases of a project and adds the components of each phase in detail until an outline of all the tasks to be performed for the project has been created; and Ernst is a text book that generally describes mergers and acquisitions.

Although Pyron mentions expanding an outline when a user prints a report if the user wants all tasks to be displayed (Pyron, page 591), Applicants respectfully submit that the mere mentioning in Pyron of expanding an outline to display all tasks does not describe nor teach displaying a detailed explanation for each integration event including advice for performing the integration event. Furthermore, Applicants submit by merely mentioning “a task sheet view of the SAMPLE project” (Pyron, page 99), Pyron does not describe nor teach displaying at least one sample presentation relating to the integration event. Accordingly, Applicants respectfully submit that Claim 1 is patentable over Pyron in view of Ernst.

When the recitations of Claim 2 are considered in combination with the recitations of Claim 1, Applicants submit that dependent Claim 2 likewise is patentable over Pyron in view of Ernst.

Claims 27 and 30 depend from independent Claim 24. Claim 24 recites a system for acquisition integration that includes “a database comprising data corresponding to integration events for at least one integration area, and data corresponding to a detailed explanation of each integration event including advice for performing the integration event and at least one sample presentation relating to the integration event wherein the advice and the at least one sample presentation are based on prior acquisition processes...and a server configured to prompt a user to select an integration area and to provide information regarding a status of integration events within the integration area.”

Neither Pyron nor Ernst, considered alone or in combination, describe or suggest a system as recited in Claim 24. More specifically, neither Pyron nor Ernst, considered alone or in combination, describe or suggest a system for acquisition integration that includes a database comprising data corresponding to a detailed explanation of each integration event including advice for performing the integration event and at least one sample presentation relating to the integration event wherein the advice and the at least one sample presentation are based on prior acquisition processes.

Rather, Pyron describes a computer application known as Microsoft Project 4 that includes a project planning function wherein a user identifies the major phases of a project and adds the components of each phase in detail until an outline of all the tasks to be performed for the project has been created; and Ernst is a text book that generally describes mergers and acquisitions. Accordingly, Applicants respectfully submit that Claim 24 is patentable over Pyron in view of Ernst.

When the recitations of Claims 27 and 30 are considered in combination with the recitations of Claim 24, Applicants submit that dependent Claims 27 and 30 are likewise patentable over Pyron in view of Ernst.

Claim 64 depends from independent Claim 58. Claim 58 recites a method for operating a computer that includes “displaying a detailed explanation for each integration event including advice for performing the integration event and at least one sample presentation relating to the integration event wherein the advice and the at least one sample presentation are based on prior acquisition processes...and generating an acquisition integration project plan incorporating selected integration events.”

Neither Pyron nor Ernst, considered alone or in combination, describe or suggest a method as recited in Claim 58. More specifically, neither Pyron nor Ernst, considered alone or in combination, describe or suggest a method for operating a computer that includes displaying a detailed explanation for each integration event including advice for performing the integration event and at least one sample presentation relating to the integration event wherein the advice and the at least one sample presentation are based on prior acquisition processes.

Rather, Pyron describes a computer application known as Microsoft Project 4 that includes a project planning function wherein a user identifies the major phases of a project and adds the components of each phase in detail until an outline of all the tasks to be performed for the project has been created; and Ernst is a text book that generally describes mergers and acquisitions. Accordingly, Applicants respectfully submit that Claim 58 is patentable over Pyron in view of Ernst.

When the recitations of Claim 64 are considered in combination with the recitations of Claim 58, Applicants submit that dependent Claim 64 likewise is patentable over Pyron in view of Ernst.

Claim 72 depends from independent Claim 66. Claim 66 recites a computer programmed to “display a detailed explanation for each integration event including advice for performing the integration event and at least one sample presentation relating to the integration event wherein the advice and the at least one sample presentation are based on prior acquisition processes...and generate an acquisition integration project plan incorporating user selected integration events.”

Neither Pyron nor Ernst, considered alone or in combination, describe or suggest a computer as recited in Claim 66. More specifically, neither Pyron nor Ernst, considered alone or in combination, describe or suggest a computer programmed to display a detailed explanation for each integration event including advice for performing the integration event and at least one sample presentation relating to the integration event wherein the advice and the at least one sample presentation are based on prior acquisition processes.

Rather, Pyron describes a computer application known as Microsoft Project 4 that includes a project planning function wherein a user identifies the major phases of a project and adds the components of each phase in detail until an outline of all the tasks to be performed for the project has been created; and Ernst is a text book that generally describes mergers and acquisitions. Accordingly, Applicants respectfully submit that Claim 66 is patentable over Pyron in view of Ernst.

When the recitations of Claim 72 are considered in combination with the recitations of Claim 66, Applicants submit that dependent Claim 72 likewise is patentable over Pyron in view of Ernst.

Notwithstanding the above, the rejection of Claims 2, 27, 30, 64, and 72 under 35 U.S.C. § 103(a) as being unpatentable over Pyron in view of Ernst is further traversed on the grounds that the Section 103 rejection of the presently pending claims is not a proper rejection. Obviousness cannot be established by merely suggesting that it would have been obvious to one of ordinary skill in the art to modify Pyron using the teachings of Ernst. More specifically, as is well established, obviousness cannot be established by combining the teachings of the cited art to produce the claimed invention, absent some teaching, suggestion, or incentive supporting the combination. It is impermissible to use the claimed invention as an instruction manual or "template" to piece together the teachings of the prior art so that the claimed invention is rendered obvious. Specifically, one cannot use hindsight reconstruction to pick and choose among isolated disclosures in the prior art to deprecate the claimed invention. Further, it is impermissible to pick and choose from any one reference only so much of it as will support a

given position, to the exclusion of other parts necessary to the full appreciation of what such reference fairly suggests to one of ordinary skill in the art.

As the Federal Circuit has recognized, obviousness is not established merely by combining references having different individual elements of pending claims. Ex parte Levengood, 28 U.S.P.Q.2d 1300 (Bd. Pat. App. & Inter. 1993). MPEP 2143.01. Rather, there must be some suggestion, outside of Applicants' disclosure, in the prior art to combine such references, and a reasonable expectation of success must be both found in the prior art, and not based on Applicants' disclosure. In re Vaeck, 20 U.S.P.Q.2d 1436 (Fed. Cir. 1991). In the present case, neither a suggestion or motivation to combine the prior art disclosures, nor any reasonable expectation of success has been shown.

Neither Pyron nor Ernst, considered alone or in combination, describe or suggest the claimed combination. Rather, the present Section 103 rejection is based on a combination of teachings selected from multiple references in an attempt to arrive at the claimed invention. Specifically, Pyron teaches a computer application known as Microsoft Project 4 that includes a project planning function wherein a user identifies the major phases of a project and adds the components of each phase in detail until an outline of all the tasks to be performed for the project has been created; and Ernst teaches general concepts relating to mergers and acquisitions. Since there is no teaching, suggestion or motivation for the combination of Pyron and Ernst, the Section 103 rejection appears to be based on a hindsight reconstruction in which isolated disclosures have been picked and chosen in an attempt to deprecate the present invention. Of course, such a combination is impermissible, and for this reason alone, Applicants requests that the Section 103 rejection of Claims 1-21 be withdrawn.

For at least the reasons set forth above, Applicants respectfully request that the rejection of Claims 2, 27, 30, 64, and 72 under 35 U.S.C. § 103(a) be withdrawn.

The rejection of Claims 51 and 56 under 35 U.S.C. § 103(a) as being unpatentable over Tim Pyron, *Using Microsoft Project 4 for Windows*, 1994 (Pyron) in view of Kumashiro (U.S. Patent No. 6,240,395) is respectfully traversed.

Pyron is described above. Kumashiro describes a device for generating a Gantt chart. The device includes a display showing the Gantt chart, an input unit receiving an input to point at a position on the display, a Gantt-chart-generation processing unit generating a schedule bar having a start point and an end point by setting the start point at a first position indicated by the input unit and setting the end point at a second position indicated by the input unit, and a work-step-division processing unit dividing the schedule bar into a plurality of work steps at a plurality of third positions indicated by the input unit. Notably, Kumashiro does not describe nor teach a computer program that displays an explanation for each integration event including advice for performing the integration event and at least one sample presentation relating to the integration event wherein the advice and the at least one sample presentation are based on prior acquisition processes.

Claims 51 and 56 depend from independent Claim 44. Claim 44 recites a computer program comprising a code segment that “manages integration areas for acquisition integration...organizes integration events for each integration area...displays a detailed explanation for each integration event including advice for performing the integration event and at least one sample presentation relating to the integration event wherein the advice and the at least one sample presentation are based on prior acquisition processes...and generates an acquisition integration plan including a set of integration events and deliverable checklists based on user selected integration areas, to guide the user through integration process.”

Neither Pyron nor Kumashiro, considered alone or in combination, describe or suggest a computer program as recited in Claim 44. More specifically, neither Pyron nor Ernst, considered alone or in combination, describe or suggest a computer program that displays a detailed explanation for each integration event including advice for performing the integration event and at least one sample presentation relating to the integration event wherein the advice and the at least one sample presentation are based on prior acquisition processes.

Rather, Pyron describes a computer application known as Microsoft Project 4 that includes a project planning function wherein a user identifies the major phases of a project and adds the components of each phase in detail until an outline of all the tasks to be performed for

the project has been created; and Kumashiro describes a device for generating a Gantt chart. Accordingly, Applicants respectfully submit that Claim 44 is patentable over Pyron in view of Kumashiro.

When the recitations of Claims 51 and 56 are considered in combination with the recitations of Claim 44, Applicants submit that dependent Claims 51 and 56 likewise are patentable over Pyron in view of Kumashiro.

Notwithstanding the above, the rejection of Claims 51 and 56 under 35 U.S.C. § 103(a) as being unpatentable over Pyron in view of Kumashiro is further traversed on the grounds that the Section 103 rejection of the presently pending claims is not a proper rejection. Obviousness cannot be established by merely suggesting that it would have been obvious to one of ordinary skill in the art to modify Pyron using the teachings of Kumashiro. More specifically, as is well established, obviousness cannot be established by combining the teachings of the cited art to produce the claimed invention, absent some teaching, suggestion, or incentive supporting the combination. It is impermissible to use the claimed invention as an instruction manual or "template" to piece together the teachings of the prior art so that the claimed invention is rendered obvious. Specifically, one cannot use hindsight reconstruction to pick and choose among isolated disclosures in the prior art to deprecate the claimed invention. Further, it is impermissible to pick and choose from any one reference only so much of it as will support a given position, to the exclusion of other parts necessary to the full appreciation of what such reference fairly suggests to one of ordinary skill in the art.

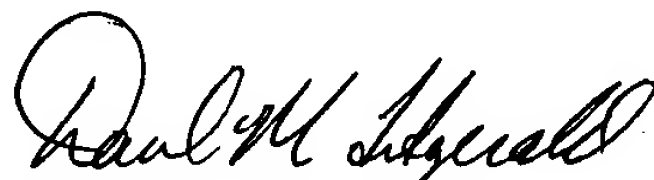
Neither Pyron nor Kumashiro, considered alone or in combination, describe or suggest the claimed combination. Rather, the present Section 103 rejection is based on a combination of teachings selected from multiple references in an attempt to arrive at the claimed invention. Specifically, Pyron teaches a computer application known as Microsoft Project 4 that includes a project planning function wherein a user identifies the major phases of a project and adds the components of each phase in detail until an outline of all the tasks to be performed for the project has been created; and Kumashiro describes a device for generating a Gantt chart. Since there is no teaching, suggestion or motivation for the combination of Pyron and Kumashiro, the Section

103 rejection appears to be based on a hindsight reconstruction in which isolated disclosures have been picked and chosen in an attempt to deprecate the present invention. Of course, such a combination is impermissible, and for this reason alone, Applicants requests that the Section 103 rejection of Claims 51 and 56 be withdrawn.

For at least the reasons set forth above, Applicants respectfully request that the rejection of Claims 51 and 56 under 35 U.S.C. § 103(a) be withdrawn.

In view of the foregoing amendments and remarks, all the claims now active in the application are believed to be in condition for allowance. Favorable action is respectfully solicited.

Respectfully Submitted,



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Express Mail Label No.: E 0989629US

PATENT

17207-00012

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Lineberry et al.

Art Unit: 3623

Serial No.: 09/855,091

Examiner: Eric T. Shaffer

Filed: May 14, 2001

For: METHODS AND SYSTEMS
FOR PERFORMING
ACQUISITION INTEGRATION

RECEIVED
OCT 07 2003
GROUP 3600

SUBMISSION OF MARKED UP CLAIMS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Submitted herewith are Marked Up Claims in accordance with 37 C.F.R. 1.121(c)(1)(ii).

IN THE CLAIMS

Please cancel Claim 18.

1. (once amended) A method performed by [in] a computer for generating an acquisition integration project plan, said method comprising the steps of:

displaying a plurality of pre-defined integration events based upon at least one user selected integration area, each pre-defined integration event being displayed in association with a phase in an acquisition process;

displaying a detailed explanation for each pre-defined integration event including advice for performing the integration event and at least one sample presentation relating to the integration event, the advice and the at least one sample presentation are based on prior acquisition processes;

receiving at least one user selection of a pre-defined integration event for each user selected integration area;

displaying the user selected, pre-defined integration events for each user selected integration area;

C1 displaying at least one of a name of a person responsible, a due date, a completion percentage, and a commentary for each user selected, pre-defined integration event; and

storing the user selected, pre-defined integration events and at least one of the name of a person responsible, the due date, the completion percentage, and the commentary for each user selected, pre-defined integration event into corresponding integration areas, as an acquisition integration project plan.

C2 7. (once amended) A method according to Claim 1 [further comprising] wherein the step of displaying [an] a detailed explanation for each pre-defined integration event further comprises enabling a user to update the advice for performing an integration event and the at least one sample presentation relating to the integration event during an acquisition process.

9. (once amended) A computer programmed to:

display a plurality of pre-defined integration events based upon at least one user selected integration area, each pre-defined integration event being associated with a phase in an acquisition process;

B display a detailed explanation for each pre-defined integration event including advice for performing the integration event and at least one sample presentation relating to the integration event, the advice and the at least one sample presentation are based on prior acquisition processes;

display at least one user selected, pre-defined integration event for each user selected integration area;

display at least one of a name of a person responsible, a due date, a completion percentage, and a commentary for each user selected, pre-defined integration event; and

13
contd

store the user selected, pre-defined integration events and corresponding integration areas as an acquisition integration project plan.

14. (once amended) A computer according to Claim 9 further programmed to [display an explanation for each integration event.] enable a user to update the advice for performing an integration event and the at least one sample presentation relating to the integration event during an acquisition process.

16. (once amended) A database for acquisition integration comprising:

data corresponding to at least one integration area; [and]

data corresponding to integration events for each integration area[.]; and

data corresponding to a detailed explanation of each integration event including advice for performing the integration event and at least one sample presentation relating to the integration event wherein the advice and the at least one sample presentation are based on prior acquisition processes.

17. (once amended) A database according to Claim 16 further comprising data corresponding to [an explanation of each integration event.] enabling a user to update the advice for performing an integration event and the at least one sample presentation relating to the integration event during an acquisition process.

24. (once amended) A system for acquisition integration, said system comprising:

a database comprising data corresponding to integration events for at least one integration area, and data corresponding to a detailed explanation of each integration event including advice for performing the integration event and at least one sample presentation relating to the integration event wherein the advice and the at least one sample presentation are based on prior acquisition processes; and

a server configured to prompt a user to select an integration area and to provide information regarding a status of integration events within the integration area.

26. (once amended) A system according to Claim 24 wherein said database further comprises data corresponding to [at least one of] an overview of acquisition integration, [an explanation of each integration event, a sample presentation for at least one integration event,] and feedback received from users.

32. (once amended) A method for acquisition integration planning, said method comprising the steps of:

selecting, from an electronic interface, at least one of a plurality of integration areas;

identifying, from the electronic interface, a responsible person responsible for each integration area;

identifying, from the electronic interface, at least one of a person responsible and a due date for each integration event within an integration area; [and]

requesting, from the electronic interface, a percentage completion for each integration event[.]; and

requesting, from the electronic interface, a detailed explanation for an integration event including advice for performing the integration event and at least one sample presentation relating to the integration event wherein the advice and the at least one sample presentation are based on prior acquisition processes.

34. (once amended) A method according to Claim 32 further comprising the step of [requesting, from] using the electronic interface[, an explanation for an integration event.] to update the advice for performing an integration event and the at least one sample presentation relating to the integration event during an acquisition process.

38. (once amended) Apparatus comprising:

means for prompting a user to select at least one integration area;

means for displaying a plurality of integration events for the selected integration areas;
[and]

C10
Cont'd
means for displaying a detailed explanation for each integration event including advice for performing the integration event and at least one sample presentation relating to the integration event wherein the advice and the at least one sample presentation are based on prior acquisition processes; and

means for generating an integration acquisition project plan using selected integration events.

44. (once amended) A computer program embodied on a computer readable medium for managing acquisition integration to achieve acquisition synergies, customer satisfaction and operational excellence, said computer program comprising a code segment that:

C11
manages integration areas for acquisition integration;

organizes integration events for each integration area; [and]

displays a detailed explanation for each integration event including advice for performing the integration event and at least one sample presentation relating to the integration event wherein the advice and the at least one sample presentation are based on prior acquisition processes; and

generates an acquisition integration plan including a set of integration events and deliverable checklists based on user selected integration areas, to guide the user through integration process.

58. (once amended) A method for operating a computer, said method comprising the steps of:

C12
prompting a user to select an integration area from an acquisition integration main user interface;

displaying a set of selectable integration events for the selected integration area; [and]

C12
Cont'd
displaying a detailed explanation for each integration event including advice for performing the integration event and at least one sample presentation relating to the integration event wherein the advice and the at least one sample presentation are based on prior acquisition processes; and

generating an acquisition integration project plan incorporating selected integration events.

66. (once amended) A computer programmed to:

prompt a user to select an integration area from a computer generated screen configured as an acquisition integration main user interface;

C13
display a set of selectable integration events for the selected integration area; [and]

display a detailed explanation for each integration event including advice for performing the integration event and at least one sample presentation relating to the integration event wherein the advice and the at least one sample presentation are based on prior acquisition processes; and

generate an acquisition integration project plan incorporating user selected integration events.

74. (once amended) A computer-readable medium executable by a computer for controlling the computer to:

receive user selections of pre-defined integration areas;

receive user selections of pre-defined integration events for the selected integration areas;

C14
[and]

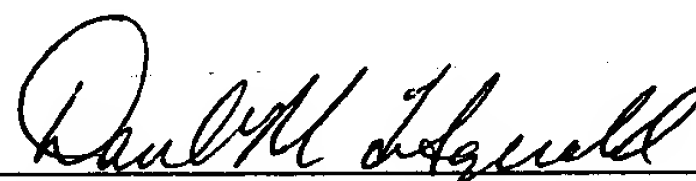
display a detailed explanation for each selected pre-defined integration event including advice for performing the integration event and at least one sample presentation relating to the

C14
contd

integration event wherein the advice and the at least one sample presentation are based on prior acquisition processes; and

generate an acquisition integration plan with the user selected, pre-defined integration areas and integration events for a planned acquisition.

Respectfully Submitted,



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